

Although Schwartz has been cited as teaching it is known to separate polyester resin from a principal resin (referring to column 5, lines 6-14 of the reference), the reference actually discloses a process wherein PET (which corresponds to the principal resin of the present invention, and the base plastic of Peters) is chemically decomposed into ethylene glycol and terephthalic acid for chemical recovery of the PET. This is quite distinct from removing an aliphatic polyester resin layer by complete dissolution through hydrolysis thereof, thereby recovering the principal resin. Accordingly, contrary to the Examiner's general assertion, Schwartz does not teach separating a polyester resin layer from a principal resin. Further, it is logically impossible to combine the teachings of Schwartz, i.e., chemical decomposition of PET, and Peters, wherein PET as a base plastic laminated with a gas-barrier resin such as PVDC is recovered by essentially physical separation from the gas-barrier layer. Thus, the Examiner's reliance on Schwartz in order to remedy the admitted deficiency of Peters is untenable.

On the other hand, Bigg et al. may disclose that the hydrolysis of an aliphatic polyester is triggered by penetration of moisture by exposure to steam (page 3, lines 1-3 of the left column). However, it is difficult to conclude that the disclosure of Bigg et al. suggests that a step of storing (a laminate of) polyglycolic acid (PGA) (with a principal resin such as PET) in a moisturizing environment is effective for shortening the induction period of a subsequent step of hydrolysis of the PGA. Moreover, it is logically impossible to combine Bigg et al. with Peters, wherein the use of an aliphatic polyester as a gas barrier resin to be laminated with PET is not even contemplated. Thus, Bigg et al. also fails to remedy the admitted deficiency of the Peters reference.

Moreover, as discussed in the previous responses, Peters (as the primary reference) merely discloses a steam pre-treatment step as effective for removing label contaminants and/or residual adhesives, and basically discloses the physical separation of a gas-barrier coating as represented by polyvinylidene chloride (PVDC) (col. 3, lines 32-67) from PET as basic plastic (col. 5, line 64, et seq.). The coating barrier resins as represented by PVDC disclosed by Peters (at col. 3, lines 32-67) are generally less hydrolysable than PET.

Accordingly, even if the secondary reference Shiiki discloses that PGA (which per se is known to be a hydrolyzable aliphatic polyester resin) is a preferred gas-barrier resin, Shiiki does not suggest that the use of PGA is preferred because of its hydrolyzability in the process of

Peters. Further, Peters does not utilize the hydrolyzability of a gas-barrier for separation recovery of PET from the gas-barrier coating, but rather, relies upon physical separation. This consideration is not changed, even in view of the other secondary references discussed above.

Thus, for the reasons provided above, it is evident that Applicants' claims are patentable over the cited combination of references, and withdrawal of the rejection is respectfully requested.

Conclusion

Therefore, in view of the remarks, it is submitted that the ground of rejection set forth by the Examiner has been overcome, and that the application is in condition for allowance. Such allowance is solicited.

If, after reviewing this Response, the Examiner feels there are any issues remaining which must be resolved before the application can be passed to issue, the Examiner is respectfully requested to contact the undersigned by telephone in order to resolve such issues.

Respectfully submitted,

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June 30, 2011